BILL NO. G-75-03-/8

Ω

GENERAL ORDINANCE NO. G- 08-75.

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Dell Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Dell Avenue having been filed with the Fort Wayne City Plan Commission on February 24, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Dell Avenue, Fort Wayne, Allen County, Indiana, to-wit:

Dell Avenue, located between Lots # 4 and # 5 Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

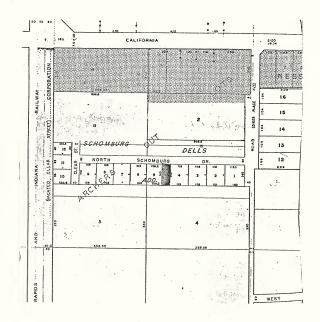
Councilman

APPROVED AS TO FORM
AND LEGT.

LIGHT SILVER

Read the first time in full and on motion by Kraces, seconded by
Things, and duly adopted, read the second time by title and referred
to the Committee on Regulations (and the City Plan
Commission for recommendation) and Public Hearing to be held after due legal notice,
at the Council Chambers, City County Building, Fort Wayne, Indiana, on,
theday of, 197, at
o'clock P.M., E.S.T.
Date: 3/11/75 Mulle Westerman
Read the third time in full and on motion by
seconded by <u>Julianus</u> , and duly adopted, placed on its passage. Passed (MOSSI) by the following vote:
TOTAL VOTES 9 0 ABSTAINED ABSENT TO-WIT
BURNS
HINGA V
KRAUS
MOSES V
NUCKOLS C
SCHMIDT, D.
SCHMIDT, V.
STIER C
TALARICO
DATE: , 2-25-75- Charles W. Westerman
CITY CLERK
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance
(Resolution, No. D-0875 on the 25th day of March, 1975:
Charles W. Westermans
Charles W. Westerman presiding OFFICER
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the $26-7$
day of Murch, 1975, at the hour of Millo clock
A: M., E.S.T.
CHULES III Wheatermain
Approved and signed by me this 26th day of
at the hour of 3:00 o'clock . M., E.S.T.
0.11.1
22 so . He 22 so .

Bill	No.	G-75-03-18						
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have 1	had sa	aid Ordinance u	nder considera	tion and	l beg leav	ve to report back	to the Com	nmon
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	John	Nuckols - Vi	ce-Chairman		ph	n Much	loly	
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			DATES -23-75 C	HARLES W	. WESTERMA	N, CITY CLERK		





TO BE VACATED



COMMUNITY DEVELOPMENT AND PLANNING

February 28, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Dell Avenue, located between Lots # 4 and # 5 Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

which was approved by the City Plan Commission at its regular meeting held February 24, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this 28th day of February, 1975.

Charles N. Hall Secretary

RESOLUTION

	WHEREAS,	Charle	s M. Henry		,	has	petitioned	and :	requestéd	
the	Fort Wayne	City Plan	Commission	to hold	a pu	blic	hearing up	on the	vacation	of
the	following p	oublic stre	et in Alle	n County	, Ind	iana	, to-wit:			

Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, $\underline{\text{Ind}}$. Ann. Stat. $\frac{\$}{5}$ 53-744 (Burns 1964 Repl. Ed); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

MMEREAS, said public hearing was held on Monday, February 24, 1975 at 7:30 P.M. (EST), and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street or alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan

Commission be forwarded to the proper governing body having jurisdiction of the

vacation of streets and alleys in Allen County, Indiana.

TO:

THE CITY PLAN COMMISSION CITY OF FORT WAYNE, INDIANA

THE BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioner, does hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described street within the City of Fort Wayne, Allen County, Indiana, to-wit:

Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, extending south from the south right-of-way of North Schomburg Drive, 140 feet to its terminus.

Your petitioner represents that:

- That he is the owner of the real estate abutting on both sides of the street herein sought to be vacated.
- That no other person, firm or corporation is interested in or affected by the requested vacation.
- $\mbox{3.} \quad \mbox{That the street sought to be vacated has never been opened or} \label{eq:constraints}$ improved.
- That said street is not necessary as ingress or egress to any other property whatsoever.
- 5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioner files this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

Charlin tenny
Tharles M. Henry

Number assigned by Dave Keller's $\underset{\text{DIGEST}}{\text{office}}$ Street Vacation Ordinance TITLE OF ORDINANCE Community Development and Planning DEPARTMENT REQUESTING ORDINANCE Petitioners are requesting the vacation of the / SYNOPSIS OF ORDINANCE following described street: Dell Avenue, located between Lots # 4 and # 5 of Schomburg Dells Addition, te extending south from the south right-of-way of North Schomburg Drive, 140 feet to is terminus. Street is presently unopened and unimproved. When EFFECT OF PASSAGE vacated, this street will be utilized by abutting property owners. Street would remain as is. EFFECT OF NON-PASSAGE_ none MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J. N.) Cognition &

Admn. Appr.



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN CITY CLERK

March 27, 1975

Miss Helen Libbing Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of March 31 and April 7, 1975, in both the News Sentinel and Journal Gazette.

> RE: Legal Notice for Common Council of Fort Wayne, Indiana

> > Bill No. G-75-03-16 General ORdinance No. G-06-75

Bill No. G-75-03-17 General Ordinance No. G-07-75

Bill No. G-75-03-18

General Ordinance No. G-08-75

Bill No. G-75-03-19

General Ordinance No. G-09-75

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Sincerely, Charles W. Westerman

Charles W. Westerman City Clerk

CWV/ne Encl: 4

Form Prescribed by	State Board of Accounts	153		General Form No. 99 P	(Rev 1967
Common Council	l of Fort Wayne		ToNI	EWSSENT INEL	D
	rnmental Unit)				
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Additional amount)	charge for notices contain	ing rule or tabular we	ork (50 per cent of a	bove	
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Notice is hereby given that on the 25th day of March. 1975, the Common Coun- cil of tha City of Fort Wayne, Indiana, in a regular session did pass the follow- ing Bill No. 675-63-18, G-08-75 General Ordinance, to wit:	The second second	too cents for each pro	or in excess or two)	*	
BILL NO. G-75-03-18 General Ordinance No. G-08-75 An ordinance amending General Ordinance No. G-97 by authorizing the vacco	AL AMOUNT OF CLAIM				28.86
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of a portion of Dell Avenue having been filed with the Fort Wayne City Plan Commission on February 24, 1975 fol-			_ 1		
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SECTION 2. After passage of this Or- dinance, approval by the Mayor and le- gal publication, a duly certified copy of this Ordinance, of the recommendation			l	V. E. Serk	Sen
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Fort Wayne, Indiana. SECTION 3. This Ordinance shall be in full force and effect from and after	p.	UBLISHER'S AFFIDAVIT		47	
legal publication thereof. EUGENE KRAUS Councilman	State of I	Indiana EN County >s;			
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Ayes: Nine—Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico Navs: None	undersign	redV. D. UC	rken		dy sworm, says
Date: 3-25-75 CHARLES W. WESTERMAN, City Clerk		S lie is	NEWS_SENTINET.		of the
Council of the City of Fort Wayne, In- diana, as General Ordinance No. G-08-75 on the 25th day of March, 1975.	4	DAILY	men manage de l'especiale et	of general circulars a seint of	and published
Charles W. Westerman, City Clerk James S. Stier, Presiding Officer Presented by me to the Mayor of the	NT HERE	Town	od FORT WAY	NE, INDIANA	
City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:00 o'clock A.M., E.S.T. CHARLES W. Westerman	in state at	nd county aforesaid, and the in said paper for	two	ched hereto is a true copy, wh	hich was duly
Approved and signed by me this 26th day of March, 1975, at the hour of 3:00	time S.			the dates of publ	lication being
IVAN A. LEBAMOFF, Mayor I, Charles W. Westermen, Clerk of the	as follows:	3/31 & 4/7/75			
certify that the above and foregoing is a full, frue and complete copy of General Ordinance No. G-08-75 passed by the				re h	
Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of Mayor on the 2	Nulser that	Land swarn to before me t	his 7th		سر 19 <u>75</u>
and now remains on file and on record in my office. Witness my hand, and the official seal of the City of Fort W.	ALAK SAL		Elme	c Cholmpe	
26th day of March, 1975. CHARLES W. WESTERMAN, City Clerk	My commi	con expiresOctol	her 25. 1975	Notary Public	
SEAL 3—31: 4—7 1 OTTL 1500		,			

		by State Board of Ac				eral Form No. 99 P (Re	v 196
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SEAL 3-31, 4-7

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Notice is hereby given that on the 25H day of March, 1975, the Common Coun- cil of the City of Fort Wayne, Indiana in a regular session did pass the follow- ing Bill No. G-75-03-18, G-08-75 Genera Ordinance, to-wit:	TAL AMOUNT OF CLAIM	ī		<u> 28.86</u>
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Its passage, approval by the Mayor and legal publication thereof. EUGENE KRAUS Councilman Read the third time in full and on the	Perso	anolly appeared before	me, a notary public in and fo	r said county and state, the
Read the third time in full and on me- tion by Kraus, seconded by Talarico, and duly adopted, placed on its passage. PASED by the following vote: Ayes: Nine—Burns, Hinga, Moses, Nuckols, D. Schmildt, V. Schmidt, Stier,	that	she is	ILLA DEWALD CLERK	who, being duly sworn, says
Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico Nays: None Date: 3-25-75 CHARLES W. WESTERMAN,		JOURNAL-GA		
CHARLES W. WESTERMAN, City Clerk Passed and adopted by the Common	OPY OF in the		e city of FORT WAYNE	lation printed and published
Passed and adopted by the Common Council of the City of Fart Wayne, in- diana, as General Ordanaech No. G8873 of the City of March, 1975. Charles W. Westerman, City Clerk Lames S, Siler, Presiding Officer Charles W. Westerman, City Clerk Lames S, Siler, Presiding Officer City Service by me to the Mayor of the City Service of Council Council Council Council day of March, 1975. Indiana, on the 26th of Colcak AM, E.S. 7.	ENT HERE in sta	te and county aforesaid,	and that the printed matter at	tached hereto is a true copy.
Charles W. Westerman, City Clerk James S. Stier, Presiding Officer Presented by me to the Mayor of the	which as fo	HOWS:	aid paper for 2 time 5, ti	he dates of publication being
CHARLES W. Westerman		3/31 & 4/7/	0	0
Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P.M., E.S.T. IVAN A. LEBAMOFF.	Sale	30-2	re me this 7th and	April 1975
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby	Subsc	ribed and sworn to before	1	10 600
Mayor I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a tuil, true and complete copy of General Ordinance No. G-0875 passed by the Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of Maych, 1975.	My c	ommission expires	October 25, 1975	y Public
		3	•	
in my office. Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975. CHARLES W. WESTERMAN, City Clerk	A STATE OF THE STA			
CHARLES W. WESTERMAN, City Clerk 3-31; 4-7				
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